

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 MARIO DEMARLO ALSTON,

11 Defendant.

2:20-CR-00113-CDS-EJY

Preliminary Order of Forfeiture

12 This Court finds Mario Demarlo Alston pled guilty to Count One of a One-Count
13 Criminal Information charging him with coercion and enticement in violation of 18 U.S.C.
14 § 2422(a). Criminal Information, ECF No. 52; Arraignment & Plea, ECF No. 54; Plea
15 Agreement, ECF No. 53.

16 This Court finds Mario Demarlo Alston agreed to the forfeiture of the property set
17 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information.
18 Criminal Information, ECF No. 52; Arraignment & Plea, ECF No. 54; Plea Agreement,
19 ECF No. 53.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
21 States of America has shown the requisite nexus between property set forth in the Plea
22 Agreement and the Forfeiture Allegation of the Criminal Information and the offense to
23 which Mario Demarlo Alston pled guilty.

24 The following property is (1) any property, real or personal, that was used or
25 intended to be used to commit or to facilitate the commission of a violation of 18 U.S.C. §
26 2422(a) and (2) any property, real or personal, used or intended to be used to commit or to
27 facilitate the commission of a violation of 18 U.S.C. § 2422(a) and is subject to forfeiture
28 pursuant to 18 U.S.C. § 2428(a)(1) and 18 U.S.C. § 2428(b)(1)(A) with 28 U.S.C. § 2461(c):

1. a Samsung cellular phone, model number: SM-J727T1, IMEI number: 354254095003641 (property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Mario Demarlo Alston in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
2 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
3 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
4 not sent, no later than sixty (60) days after the first day of the publication on the official
5 internet government forfeiture site, www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
7 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
8 Attorney's Office at the following address at the time of filing:

9 Daniel D. Hollingsworth
10 Assistant United States Attorney
James A. Blum
11 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
12 Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
14 described herein need not be published in the event a Declaration of Forfeiture is issued by
15 the appropriate agency following publication of notice of seizure and intent to
16 administratively forfeit the above-described property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
18 copies of this Order to all counsel of record.

19 DATED June 30, 2022.

20
21 
22 _____
CRISTINA D. SILVA
23 UNITED STATES DISTRICT JUDGE
24
25
26
27
28